

## NEBRASKA ADMINISTRATIVE CODE

TITLE 483 - WHEAT BOARD  
CHAPTER 1 - WHEAT EXCISE TAX REGULATION

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### Title 483 - WHEAT BOARD

#### Chapter 1 - WHEAT EXCISE TAX REGULATION

##### 001 EXCISE TAX; Amount Levied Upon.

Pursuant to sections 2-2311 through 2-2313, Nebraska Wheat Resources Act, Revised Statutes of Nebraska, 1943, as amended, in the case of a pledge or mortgage of wheat as security for a loan under the federal price support program the excise tax shall be levied upon the "measured (mortgaged) quantity." The excise tax so paid at the time of the loan was made shall be deemed a complete satisfaction of the excise tax liability created by section 2-2311 unless upon subsequent actual delivery of such wheat from farm storage in satisfaction of the pledge or mortgage it shall be determined that the tax was underpaid thereon at the time of the pledge or mortgage in the amount of three dollars or more, such underpayment being due solely to the necessity of estimating the quantity of wheat so placed in farm storage.

##### 002 QUARTERLY REPORTS.

Pursuant to section 2-2315 of the Nebraska Wheat Resources Act, Revised Statutes of Nebraska, 1943, as amended the purchaser shall make a quarterly report as prescribed in section 2-2315, by the last day of each January, April, July, and October, to the Nebraska Wheat Development, Utilization and Marketing Board, regardless of the amount of wheat purchased.

##### 003 FEDERAL LOANS; Approved Record Forms.

003.01 To conform with a change by the U.S. Department of Agriculture, Consolidated Farm Service Agency in the handling of wheat loans and purchase agreements whereby the Nebraska wheat excise tax will be deducted thereafter by agencies of the federal government, the Farm Storage Note, Chattel Mortgage and Security Agreement (Form CCC 677), Warehouse Storage Note and Security Agreement (Form CCC 678) or the Commodity Delivery Notice (Form CCC 691), issued by the federal agency to the grower are hereby approved as fulfilling the requirement for invoices as set forth in section 2-2315 (1), Revised Statutes of Nebraska, 1943, as amended, and the forms herein approved shall be deemed to constitute proof of payment of such excise tax on the wheat thereon.



003.02 The forms proposed by the Consolidated Farm Service Agency for reporting wheat excise tax collections to the Nebraska Wheat Development, Utilization and Marketing Board, whereby an identification number will be listed in lieu of the name of the grower from whom the tax was collected, is hereby approved, such approval being in consideration of assurances received from the Consolidated Farm Service Agency that authorized officials of the State of Nebraska will have access at all reasonable times to the records of the County Consolidated Farm Service Agency offices showing the names of the growers to whom such identification numbers have been assigned.

003.03 In connection with the collection of the wheat excise tax on Consolidated Farm Service Agency wheat loans disbursed and purchase agreements made, undercollections or overcollections of the wheat excise tax amounting to three dollars or less as a result of errors, will not require collection of the underpayment or refund of the overpayment by the Consolidated Farm Service Agency and their responsibility in such cases shall be waived.

004 EXCISE TAX; Amount.

The amount of the excise tax provided for under section 2-2311 of the Act shall be set at a maximum rate of one and one-fourth cents per bushel upon all wheat sold through commercial channels on and after October 1, 1989.

ANNOTATION

ENABLING LEGISLATION: Sections 2-2301 to 2-2321, R.R.S., Nebraska, 1943.